

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

VELKE et al.

Atty. Ref.: 3696-63

Serial No. To be Assigned

Group:

Filed: November 17, 2003

Examiner:

For: POWER MOWER WITH RIDING PLATFORM FOR  
SUPPORTING STANDING OPERATOR

\* \* \* \* \*

November 17, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- |                                     |  |                 |
|-------------------------------------|--|-----------------|
| <input checked="" type="checkbox"/> | 1. <b>PTO-1449 Pursuant to 37 CFR 1.97(b)</b><br>[within 3 months of filing or prior to 1st Office Action] | <i>N/C</i>      |
| <input type="checkbox"/>            | 2. <b>Statement Pursuant to 37 CFR 1.97(c)</b><br>[before Final Office Action and Allowance]               | <i>N/C</i>      |
| <input type="checkbox"/>            | 3. <b>Fee Payment Pursuant to 37 CFR 1.97(c)</b><br>[before Final Office Action and Allowance]             | <i>\$180.00</i> |
| <input type="checkbox"/>            | 4. <b>Pursuant to 37 CFR 1.97(d)</b><br>[before Issue Fee payment]   | <i>\$180.00</i> |

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | 5. A list of documents on Form PTO-1449. Actual copies of the references listed on the attached form PTO-1449 are not included herewith in accordance with MPEP §609, these references being previously submitted in any and all of the parent applications. The parent application includes U.S. application Serial No. 10/322,472. |
|-------------------------------------|--|

This paper is submitted in accordance with:

- ☒ 6. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 7. 37 CFR 1.97(c): [before Final Office Action and Allowance, whichever is earlier]; and
- ☐ a) The required Statement made in item 9 below; or
- ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 10 below.
- ☐ 8. 37 CFR §1.97(d): [before issue fee payment]; and
- ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is authorized in item 10 below; and
- ☐ b) The required Statement is stated in item 9 below.
- ☐ 9. Statement under 37 CFR 1.97(e)
- ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 10. Please charge all applicable fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

Joseph A. Rhoa  
Reg. No. 37,515

VELKE et al.

Serial No. To be Assigned

1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

3696-63

SERIAL NO.

To be Assigned

APPLICANT

VELKE et al.

(Use several sheets if necessary)

FILING DATE

November 17, 2003

GROUP

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,165,596	2/2003	Velke et al.			
	6,189,304	2/2001	Velke et al.			
	6,094,897	8/2000	Velke et al.			
	6,059,055	5/2000	Velke et al.			
	5,809,755	9/1998	Velke et al.			
	5,600,944	2/1997	Wright et al.			
	5,507,138	4/1996	Wright et al.			
	5,463,853	11/1995	Santoli et al			
	6,044,634	4/2000	Velke			
	6,059,055	5/2000	Velke			
	6,085,504	7/2000	Wright et al			
	6,094,897	8/2000	Velke			
	6,059,055	5/2000	Velke			
	5,984,031	11/1999	Velke et al.			
	5,964,082	10/1999	Velke			
	5,765,347	6/1998	Wright et al			
	5,316,328	5/1994	Bussinger			
	4,886,294	12/1989	Nahachewski			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
597,049	4/1993	JP				

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	U.S. Patent Application Serial No. 10/322,472, filed December 19, 2002
	U.S. Patent Application Serial No. 08/726,927 filed October 3, 1996 (Abandoned)
	Great Dane "Surfer", Yard and Garden, Jan. 1997
	Excel Compacts 251K/251K T/S/260K T/S (1990)
	Excel Hustler 65 and Hustler 36 (1965)
	Excel Hustler 261 (1983)

*Examiner	Date Considered
-----------	-----------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)

**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

3696-63

SERIAL NO.

To be Assigned

APPLICANT

VELKE et al.

(Use several sheets if necessary)

FILING DATE

November 17, 2003

GROUP

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,515,392	5/1985	Torras			
	5,431,444	7/1995	Kenealy			
	5,765,347	6/1998	Wright et al			
	RE 34,057	8/1992	Middlesworth			
	1,764,971	2/1930	Nilson			
	2,354,576	7/1944	Clark			
	2,583,358	1/1952	Cesan			
	3,190,672	6/1965	Swanson et al			
	3,336,042	8/1967	Southall			
	3,455,404	7/1969	Hansen			
	3,483,682	12/1969	Root			
	3,485,314	12/1969	Herr			
	4,175,762	11/1979	Vaughn et al			
	4,316,356	2/1982	Planeta			
	4,487,006	12/1984	Scag			
	4,558,558	12/1985	Hornor, Jr. et al			
	4,709,541	12/1987	Broman et al			
	4,715,168	12/1987	Oxley			
	4,787,646	11/1988	Kamlukin et al			
	4,828,282	5/1989	Pinto			
	4,920,733	5/1990	Berrios			
	6,327,839	12/2001	Velke et al.			
	6,189,304	2/2001	Velke et al.			
	6,550,563	4/2003	Velke et al.			
	6,138,446	10/2000	Velke et al.			
	6,276,486	8/2001	Velke et al.			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

*Examiner		Date Considered	
-----------	--	-----------------	--

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)

**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

3696-63

SERIAL NO.

To be Assigned

APPLICANT

VELKE et al

(Use several sheets if necessary)

FILING DATE

November 17, 2003

GROUP

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,874,055	10/1989	Beer			
	4,878,339	11/1989	Marier et al			
	4,885,903	12/1989	Scag			
	4,967,543	11/1990	Scag et al			
	4,991,382	2/1991	Scag			
	4,998,948	3/1991	Osterling			
	5,004,251	4/1991	Velke et al			
	5,077,959	1/1992	Wenzel			
	5,042,238	8/1991	White, III et al			
	5,119,619	6/1992	Zappia			
	5,131,483	7/1992	Parkes			
	5,118,123	6/1992	Betrock			
	5,388,850	2/1995	Simone			
	5,413,364	5/1995	Hafendorfer			
	5,507,138	4/1996	Wright et al			
	5,653,466	8/1997	Berrios			
	5,375,674	12/1994	Peter			
	5,809,755	9/1998	Velke et al			
	5,600,944	2/1997	Wright			
	5,809,756	9/1998	Scag et al			

**FOREIGN PATENT DOCUMENTS**

							TRANSLATION	
	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS		YES	NO

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**


Examiner\*

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)